

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION

BONNIE WARREN,

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Plaintiff,

*

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v.

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CV 622-064

RENASANT BANK,

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*

Defendant.

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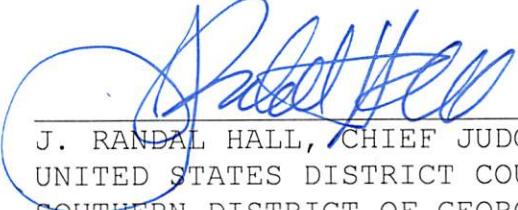
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O R D E R

Before the Court is Plaintiff's stipulation of dismissal of this action pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). (Doc. 43.) The stipulation is signed by Plaintiff and Defendant Renasant Bank but not Defendant Hall & Navarro, LLC. (Id. at 1.) Rule 41(a)(1), however, only allows a plaintiff to "dismiss an action without a court order by filing . . . a stipulation of dismissal *signed by all parties who have appeared.*" FED. R. CIV. P. 41(a)(1)(A)(ii) (emphasis added). In a recent opinion, the Eleventh Circuit found "a Rule 41(a)(1)(A)(ii) stipulation also requires the signature of a party that appeared but has already been removed from an action." City of Jacksonville v. Jacksonville Hosp. Holdings, L.P., 82 F.4th 1031, 1038 (11th Cir. 2023) (citation omitted). Therefore, without the signatures

of all parties that have appeared in this case, Plaintiff's stipulation of dismissal (Doc. 43) is invalid.

ORDER ENTERED at Augusta, Georgia, this 12th day of December, 2023.



J. RANDAL HALL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA